

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

CHRISTOPHER ANDERSON,

Petitioner,

v.

ED BANKS, WARDEN,

Respondent.

CASE NO. 2:11-CV-276

JUDGE EDMUND A. SARGUS, JR.


MAGISTRATE JUDGE E.A. PRESTON DEAVERS

**OPINION AND ORDER**

On September 30, 2011, the Magistrate Judge issued an *Order and Report and Recommendation* recommending Respondent's Motion to Dismiss (Doc. 8) be granted, and that the instant petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 be dismissed without prejudice. Although the parties were advised of the right to object to the Magistrate Judge's *Report and Recommendation*, and of the consequences of failing to do so, no objections have been filed.

The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**.

**IT IS SO ORDERED.**

 10-26-2011  
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EDMUND A. SARGUS, JR.  
United States District Judge